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29855 7590 11/01/2007 WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI, L.L.P. 20333 SH 249 SUITE 600 HOUSTON, TX 77070			EXAMINER PHAM, KHANH B	
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Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/718,863
Filing Date: November 21, 2003
Appellant(s): PINTAR ET AL.

MAILED

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Technology Center 2100

Coe F. Miles
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed August 1, 2007 appealing from the Office action mailed November 30, 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(4) Status of Amendments After Final

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,881,378 A	HAYASHI et al.	3-1999
6,366,917 B1	ST. JOHN HERBERT, III	4-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11, 14-24, and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Hayashi et al. (US 5,881,378 A), hereinafter "**Hayashi**".

Claim 1.

Hayashi discloses:

A database unload method, comprising [database, extract logical information, Col 13 lines 5-10]:

receiving a request to extract data from a database table, the database table having a current version associated with a current schema of the database table and a prior version associated with a prior schema of the database table, the request directed to the prior version [request, old version, new version, database, Col 16 lines 55-60, Fig 17A-17B]; and

extracting data from the database table based on the table schema associated with the prior version [database, extract logical information, table, Col 13 lines 5-10, Col. 19 lines 5-15 and Fig. 15A-B].

Claim 2.

Hayashi discloses the elements of claim 1 as above and furthermore it discloses wherein the act of receiving a request further comprises obtaining schema definition information associated with the database table [schema definition, table Col 6 lines 25-27].

Claim 3.

Hayashi discloses the elements of claim 2 as above and furthermore it discloses, wherein the act of obtaining schema definition information comprises obtaining schema definition information for the prior version [definition information, old version, Col 16 lines 54-59].

Claim 4.

Hayashi discloses the elements of claim 3 as above and furthermore it discloses wherein the act of obtaining schema definition information further comprises obtaining schema definition information for versions associated with the database table in addition to the prior version [table, old version, schema definition, Col 6 lines 25-27, Col 16 lines 64-67-Co117 lines 1-2].

Claim 5.

Hayashi discloses the elements of claim 2 as above and furthermore it discloses, wherein the act of obtaining schema definition information comprises receiving said schema definition information from a user [schema definition, user-specified, Col 6 lines 25-27, Col 5 lines 20-23].

Claim 6.

Hayashi discloses the elements of claim 2 as above and furthermore it discloses, wherein the act of obtaining schema definition information comprises receiving said schema definition from a database change management application [schema definition, Col 6 lines 25-27,33-35, Fig 15A-B].

Art Unit: 2166

Claim 7.

Hayashi discloses the elements of claim 2 as above and furthermore it discloses, wherein the act of obtaining schema definition information comprises receiving said schema definition information directly from a database management system [schema definition, Col 6 lines 25-27,33-35].

Claim 8.

Hayashi discloses the elements of claim 1 as above and furthermore it discloses, wherein the act of extracting data comprises unloading data stored in the database table to a result set data structure [database, table, extract logical information, Col 13 lines 5-10, 43-45, Fig 16A-B].

Claim 9.

Hayashi discloses the elements of claim 8 as above and furthermore it discloses wherein the result set data structure comprises a computer file [Col 14 lines 45-50].

Claim 10.

Hayashi discloses the elements of claim 8 as above and furthermore it discloses wherein the act of extracting data comprises generating a file that encodes therein a definition of the schema associated with the prior version [Col 19 lines 35-39, 45-53].

Claim 11.

Hayashi discloses the elements of claim 8 as above and furthermore it discloses wherein the act of extracting data comprises [database, extract logical information, Col 13 lines 5-10]:

unloading a datum from the database table, said datum having a first format [database, extract logical information, format, Col 13 lines 5-10, Col 25 lines 15-20];
and

transforming the unload datum to a second format [database, extract logical information, format, Col 13 lines 5-10, Col 25 lines 15-20].

Claim 30.

Hayashi discloses:

A computer system, comprising:

a central processing unit [CPU, Col 6 line 5];

first storage operatively coupled to the central processing unit, the first storage having stored therein at least a portion of a relational database table [storage 17A, Col 6 lines 13-16, Fig 1]; and

second storage operatively coupled to the central processing unit and the first storage, the second storage having stored therein at least a portion of a database management system, the database management system adapted to [storage, 17B, Fig 1, Col 6 lines 13-16]

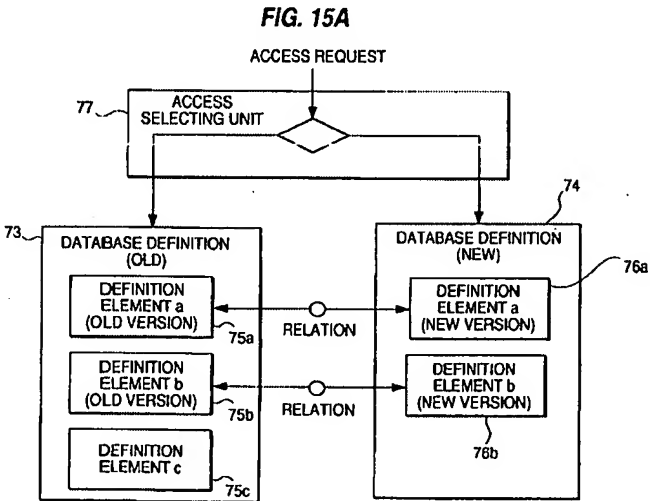
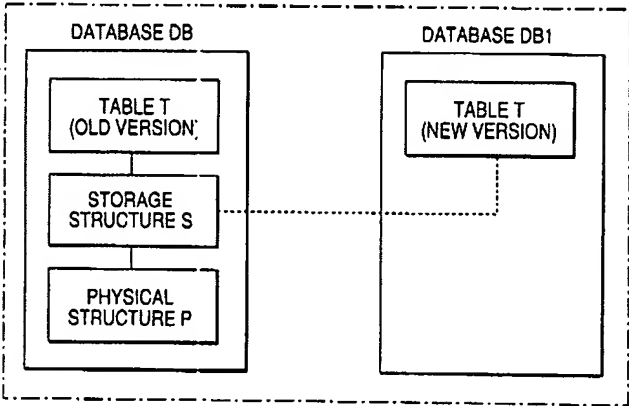
receive a request to extract data from the relational database table, the relational database table having a current version associated with a current schema of the relational database table and a prior version associated with a prior schema of the relational database table, the request directed the prior version [request, old version, new version, database, Col 16 lines 55-60, Fig 17A-17B], and

extract data from the relational database table based on the table schema associated with the prior version [database, extract logical information, table, Col 13 lines 5-10, Fig 15A-B].

Claims 14 - 24 recites a program storage device for performing the same method as discussed in claims 1-11 above and are therefore rejected by the same reasons.

(10) Response to Argument

A. Claims 1-11, 14-24, and 30 stand rejected under 35 U.S.C 102(b)

Appellant's Claim 1	Hayashi (US 5,881,378)
<p>A database unload method, comprising:</p> <p>receiving a request to extract data from a database table,</p> <p>the database table having a current version associated with a current schema of the database table and a prior version associated with a prior schema of the database table,</p>	<p>Hayashi teaches at Fig. 15A the "access request" to extract data from a database table</p> <p>FIG. 15A</p>  <p>Hayashi teaches at Fig. 17A the database table having a current version (i.e., "Table T (New Version)" associated with a current schema of the database table (i.e., "Database Definition¹ (OLD)" in Fig. 15A) and a prior version (i.e. "Old Version").</p> <p>FIG. 17A</p> 

¹ Hayashi teaches at Col. 17 lines 10-15 that "Database definition elements comprise logical structure definition elements such as a schema, table, column, integrity constraint, etc.

the request directed to the prior version; and

Hayashi teaches the assess request directed to the old version (i.e. Access request before changing)

FIG. 15B

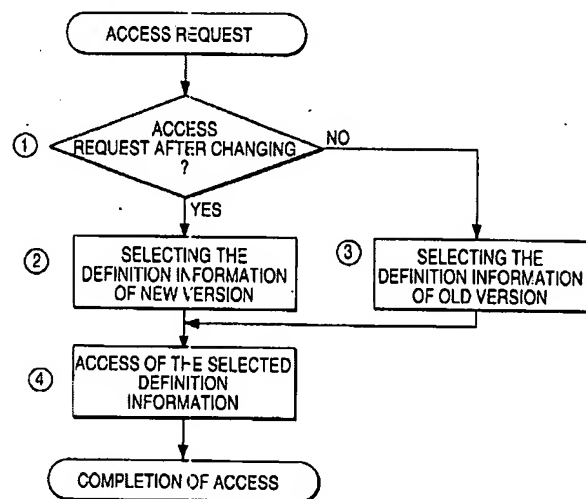


FIG. 15B shows a flowchart of an access selecting unit 77.

- ① In response to an access request, it is checked whether it is an access request to an after-modification (new version) definition.
- ② If it is an access request to an after-modification definition, a new version database definition 74 is selected.
- ③ If it is an access request to a before-modification definition, an old version database definition 73 is selected.
- ④ Now, either the selected database definition 73 or 74 is accessed, thus obtaining necessary definition information.

(Col. 19 lines 5-20, describes Fig. 15B)

extracting data from the database based on the table schema associated with the prior version.

Hayashi teaches at (4) above the step of obtaining necessary data from the database (i.e., "definition information") based on the prior version (i.e., "Old Version").

Appellant argued at page 8 of the Appeal Brief that Hayashi does not teach “versions”, “table versions”, or “extracting data from a table based on the table’s version”. On the contrary, as seen in the mapping table above, Hayashi teaches each and every limitation of claim 1.

Appellant argued at page 9 of the Appeal Brief that “Hayashi does not teach, described or fairly suggest at least the claimed act of “extracting data from the database table based on the table schema associated with the prior version”. On the contrary, as discussed above, Hayashi clearly teaches a database comprises Old and New version Table (see Fig. 17), associate with Old and New Schema (See Fig. 15). Hayashi teaches at Fig. 15B the step of obtaining (i.e., “extracting”) data from the database based on Old Version Database Definition (i.e. “table schema associated with the prior version”).

In view of the discussion above, it is believed that the 35 U.S.C. 102 (b) rejection to claims 1-11, 14-24, and 30 should be sustained.

B. Claims 12-13, 25-26 stand rejected under 35 U.S.C 103(a).

The combination of Hayashi and Herbert teaches each and every limitation of claims 12-13, 25-26, and motivation to combine references has been provided. It is believed that the 35 U.S.C 103(a) rejection to claims 12-13, 25-26 should be sustained.

For the above reasons, it is believed that the rejections should be sustained.

Art Unit: 2166

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Respectfully submitted,

Khanh B. Pham

Primary Examiner



Conferees:



Hosain Alam

Supervisory Patent Examiner


Eddie Lee

Supervisory Patent Examiner

EDDIE C. LEE
SUPERVISORY PATENT EXAMINER